

enact new Section 313B in lieu thereof, to stand in the place of the sections repealed, and to be under the new subtitle "Health—State Drug Abuse Control Act," to provide for the regulation and control of the manufacture, distribution, delivery and possession of depressant and stimulant drugs as defined, including counterfeit drugs, providing for penalties for violations thereof, and dealing in general with the subject of depressant and stimulant drugs.

WHEREAS, The regulation and control of the manufacture, distribution, delivery and possession of certain drugs, including depressant and stimulant drugs as well as other drugs which have a potential for abuse due to their depressant or stimulant effect on the central nervous system, or because of their hallucinogenic effect, is essential to the public health and safety of the people of Maryland; and

WHEREAS, There is a substantial traffic in counterfeit drugs, posing a serious hazard to the health of innocent consumers of such drugs, due to their being prepared in a clandestine fashion by operators without proper qualification, facilities and manufacturing controls; and

WHEREAS, The General Assembly of Maryland, with the welfare of the people of Maryland in mind, has an obligation to regulate and control the manufacture, distribution, delivery and possession of the aforementioned drugs, to insure the public of the therapeutic benefits of such drugs under medical supervision, by complementing and supplementing laws and regulations of the United States Congress and appropriate Federal agencies in order to prevent manufacture, distribution and delivery of such drugs for harmful or illegitimate purposes, by placing upon manufacturers, wholesalers, licensed compounders of prescriptions and persons prescribing such drugs, a basic responsibility to prevent the improper distribution of such drugs to the extent that these drugs are produced, handled, sold or prescribed by them; now, therefore

SECTION 1. *Be it enacted by the General Assembly of Maryland, That Sections 313B and 313BA of Article 27 of the Annotated Code of Maryland (1967 Supplement), title "Crimes and Punishments," subtitle "Health—Amphetamines," be and they are hereby repealed, and that new Section 313B be and it is hereby enacted in lieu thereof to stand in the place of the sections so repealed, and to be under the new subtitle "Health—State Drug Abuse Control Act," and to read as follows:*

*State Drug Abuse Control Act*

*313B.*

*(a) As used in this subtitle:*

*(1) The term "Department" means the State Department of Health.*

*(2) The term "person" includes individuals, partnerships, corporations and associations.*

*(3) The term "drug" means (i) articles recognized in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia*